

Motion to Determine if Proceeding Is Core—Adversary Proceedings

Docketing Event

Adversary > Motions/Applications/Objections > Motion to Determine if Proceeding Is Core

Negative Notice: Yes

Fee: N/A

Code and Rule References

[28 U.S.C. § 157](#)

[Fed. R. Bankr. P. 7008](#)

[Fed. R. Bankr. P. 7012](#)

[Fed. R. Bankr. P. 9027](#)

[Fed. R. Bankr. P. 9033](#)

[Fed. R. Civ. P. 8.](#)

[Fed. R. Civ. P. 12](#)

[Local Rule 5011-1](#)

Description

Not later than the date set for filing a response to the complaint, any party objecting to the entry of final orders or judgments by the Bankruptcy Court on any issue in the adversary proceeding shall file a motion requesting that the Court determine whether the proceeding is a core proceeding or otherwise subject to the entry of final orders or judgments by this Court. Failure of any party to file a motion on or before the deadline set forth in this paragraph shall be deemed consent by such party to the Bankruptcy Court entering all appropriate final orders and judgments in the proceeding subject to review under 28 U.S.C. § 158.

Filing Checklist

Review the Motion to Determine if Proceeding is Core to determine if it is:

- ☐ Sign motion;
- ☐ Is properly served and includes a proper certificate of service.
- ☐ Attorney's name and address are complete and consistent with the filing attorney's name and address in CM/ECF
- ☐ File with Negative Notice; and
 - ☐ Contains correct language
 - ☐ Located on first page